

The Law of protection and reasonable use of marine biodiversity in Melanesia: the cases of Vanuatu, Fiji and Solomon Islands

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The selected states of the juridical part of Component 2-C of CRISP Project are State-Islands that have a democratic western political system and a Melanesian culture. The juridical system is mixed with British common law rules and customary law regulations.

These three States recognize a "customary marine property" until the limit of the border reef. In the particular case of Fiji Islands, a concept of customary fishing zone is observed.

The sample-States are parties to many international conventions focusing on protection and use of marine biodiversity. They ratified the United Nations convention on the law of the sea (1982) and global respect its prescriptions. They are also parties to international and regional conventions concerning fisheries and have special bills on this topic.

Each of them have special recent bills concerning protection of the environment, but regulations are incomprehensive. The particular problem of marine environment protection is lacking. The endangered marine species are included only in the international trade regulation or fishing regulation only.

The protection of marine coastal zones is uncompleted and the marine protected areas system is rarely used.

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